

Amendments to the Drawings:

The attached sheet of drawings includes changes to **FIG. 1**. This sheet which includes **FIG. 1** replaces the original sheet including **FIG. 1**. In **FIG. 1** previously omitted reference numeral **10** identifying the chew toy has been added.

Attachment: Replacement Sheet

Remarks/Arguments

Claims 1-17 are pending in the application. Reconsideration and reexamination are requested.

Regarding the objection to the drawings, **FIG. 1** has been corrected to indicate the “chew toy” **10**, which is described at page 6 line 11 to page 7 line 5. A Replacement Sheet including corrected **FIG. 1** is attached.

Claim 1 has been amended to recite a body portion including an outer layer having a first hardness and rigid supporting core. Support can be found at page 7, lines 9-11 of the specification. At this section of the specification it makes clear that the elastomeric layer 18 may be supported by a core 20 of a more rigid or higher strength material. No new matter has been entered.

Claim 1 has also been amended to recite that the end piece includes a raised ridge portion. Support can be found at page 6, lines 17-18 which recite that a raised ridge section 15 may be included as part of the end pieces 14 and 16. Reference is made to FIGS. 1 and 3 which illustrate raised ridge section 15. No new matter has been entered.

Claim 1 has also been amended to recite that the end piece is configured to engage said body portion includes an opening, wherein said body portion having first and second end sections is configured to engage with said opening. Support can be found at page 5 lines 6-8, which recite “[i]n addition, preferably, the end piece that is configured to engage with said body portion comprises an opening, wherein said body portion having a first and second end section with an edge thereof is configured to engage with said opening...”. Also see page 8 lines 12-12 which recite “[t]he end piece **14** further

includes an opening **24** that is sized to at least partially receive the shank **12**" and dependent claim 4. Accordingly, no new matter has been entered.

The Examiner has rejected claims 1-3, 6-10, 12-15 and 17 under 35 U.S.C. 102)b) as being anticipated by Suchowski et al. (USP 6,415,741). It is believed that the amendments to the claims herein overcome the outstanding rejection in view of Suchowski et al.

Suchowski et al. appears to be directed at a pet chew toy comprising a body having a frame portion **200** having a first hardness and a chew portion **300** mounted on the frame portion, the chew portion of lesser hardness than the frame. The frame portion includes four bulbous end portions **210** and may include an opening **226** which the chew portion may fill. Suchowski therefore does not teach or suggest the use of an end piece configured to engage with the body portion includes a raised ridge and an opening, wherein said body portion having a first and second end section with an edge thereof is configured to engage with said opening.

In other words, Suchowski does not teach or suggest the use of an end piece with a raised ridge that is separate from the body portion and which is capable of engaging the body portion and which includes an opening for engaging the body portion. Suchowski et al. discloses a frame which includes ends, however the ends have no opening and are formed integrally with the frame. The frame rather than the ends includes an opening.

The Examiner has suggested that Suchowski et al. has a body portion **300** and an end piece **210**, however, the end piece **210** does not engage the body **300** (instead the frame **200** which has an opening **226** engages body **300**) and the end **210** does not engage the body **300** or include an opening for doing so.

The Examiner has also rejected claims 1-6, 10, 12, 14 and 15 under 35 U.S.C. 102(b) as being anticipated by O'Rourke (USP 5,174,243). Again, it is believed that the amended claims herein overcome the rejection in view of O'Rourke.

O'Rourke appears to be directed at a chew toy comprising a shaft portion of rope and a pair of plastic end members secured to the ends of the rope. It is disclosed that the shaft portion may be a soft cotton rope or synthetic plastic material (see column 2 line 6-14). However the reference does not disclose a body portion including an outer layer having a first hardness and a rigid supporting core.

In addition, O'Rourke does not teach or suggest the following limitation of amended claim 1: "an end piece including a raised ridge section and having a hardness that is greater than the first hardness, the end piece configured to engage with said body portion, wherein said end piece protects said edge section of said end piece from contact with said animal during said chewing via said raised ridge section, wherein the end piece configured to engage said body portion includes an opening, wherein said body portion having first and second end sections is configured to engage with said opening."

It is therefore worth elaborating on some of the benefits of utilizing a raised ridge section. As the Examiner may appreciate, by utilizing a raised ridge section, more of the body portion may be secured in the end piece to more effectively secure the body portion to the end piece. In addition, by utilizing a raised ridge section, a relative flat transition zone may be utilized between the end piece and body portion. This then provides the ability to extend the relatively harder end piece material further along the body portion with less material than the design of O'Rourke, which in turn provides more chewing

surfaces of a relatively harder material and an easier configuration for the animal to secure when chewing down the length of the body portion.

In view of the above, it is respectfully submitted that amended claim 1 satisfies the conditions of patentability over O'Rourke under 35 USC 102 and/or 103.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Suchowski, et al. ('741). Claim 11 depends from amended claim 1 and is therefore believed distinguished over Suchowski et al. as noted above.

Claims 8, 9, 11 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Rourke ('243). Dependent claims 8, 9, 11 and 17 all depend directly or indirectly from amended claim 1 and are distinguished over O'Rourke for the reasons noted above.

Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over O'Rourke ('243) in view of Klaus et al. (USP 6,676,481). The shortcomings of O'Rourke are discussed above.

Klaus et al. appears to be directed at a wire maze toy including an endless wire frame and a carriage which slides on the wire frame. As disclosed at column 3 lines 52-61, to provide the frame, holes are drilled into each end of the wire and a steel dowel is inserted into the holes which have adhesive placed therein. Claim 16, which depends from amended claim 1, includes a body portion including an outer layer having a first hardness, which is not disclosed or suggested in O'Rourke, or Klaus et al. or a combination of those references.

In consideration of the amendments to the claims and the remarks herein above, Applicants respectfully submit that all claims currently pending in the Application are

believed to be in condition for allowance. Allowance at an early date is respectfully solicited.

In the event the Examiner deems personal contact is necessary, please contact the undersigned attorney at (603) 668-6560.

In the event there are any fee deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our deposit account No. 50-2121.

Respectfully submitted,

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